



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140

August 11, 2008

Reply To: ECL-115

J.W. Ring

Bateman Seidel Miner Blomgren Chellis & Gram, P.C.

Re: The Marine Group, LLC and BAE Systems San Diego Ship Repair Inc.

888 SW Fifth Avenue, Suite 1250

Portland, Oregon 97204

Re: The Marine Group, LLC and BAE Systems San Diego Ship Repair Inc. Request for Extension of Response to First Request for Information; Portland Harbor Superfund Site, Portland, Oregon.

Dear Mr. Ring:

EPA is in receipt of your letter dated August 8, 2008, sent on behalf of marine Group LLC and BAE Systems San Diego Ship Repair, Inc., requesting an additional extension of time for response to EPA's letter dated January 18, 2008, regarding First Request for Information; Portland Harbor Superfund Site, Portland, Oregon. In your letter, you requested an extension date of November 5, 2008, to respond, and indicated that you will submit as much as you are able on August 18, 2008. Your letter also stated that you will submit two additional status reports on September 8, 2008 and October 6, 2008. Based upon the circumstances you presented, EPA believes that your extension request is reasonable and has extended the due date for The Group, LLC and BAE Systems San Diego Ship Repair, Inc., response to this first Information Request to November 5, 2008; however, EPA would rather you submit your entire request on the new due date.

Failure to respond fully and truthfully to the Information Request by the due date provided in this letter may result in an enforcement action by EPA. Under Section 104(e)(5)(B) of CERCLA, 42 U.S.C. § 9604(e)(5)(B), pursuant to the Federal Civil Penalties Inflation Adjustment Act of 1990, 28 U.S.C. § 2461, as amended by the Debt Collection Improvement Act of 1995, 31 U.S.C. § 3701, EPA is authorized to commence an action to assess civil penalties of not more than \$32,500 per day for each day of noncompliance against any person who unreasonably fails to comply with an Information Request.

Please note that responses which are incomplete, ambiguous or evasive may be treated as non-compliant with this Information Request. Also be further advised that

provision of false, fictitious or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. § 1001. You have an ongoing duty under this first Information Request to supplement your response with any additional information or documents that become available or known to you after you submit your response. This Information Request is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. § 3501.

Additionally, in your letter you requested clarification on questions 66 and 72(f) of the questionnaire. Based on the nature of your questions, EPA believes that you were referring to questions 70 and 77(f) of the questionnaire sent to you on January 18, 2008. EPA agrees that question 70 should be narrowed to only insurance issues or insurance coverage matters relating to workers compensation which involve environmental concerns. With respect to question 77(f), EPA is only asking for relevant affiliates to The Marine Group and BAE San Diego Ship Repair Inc. If other entities within a corporate structure are not relevant to these entities, then we do not expect you to provide that information in your response.

If you have any general questions about the Site, you may call Kristine Koch at (206) 553-6705, or contact her by email at koch.kristine@epa.gov. If you have legal questions about this letter or if you are represented by legal counsel, you or your attorney may contact Elizabeth McKenna, Assistant Regional Counsel, at (206) 553-0016 or mckenna.elizabeth@epa.gov, or Lori Houck Cora, Assistant Regional Counsel, at (206) 553-1115 or cora.lori@epa.gov. Thank you for your cooperation in this matter.

Sincerely,



Deb Yamamoto, Unit Manager
Site Cleanup Unit #2 -
Office of Environmental Cleanup

cc: Elizabeth McKenna, EPA-ORC
Kristine Koch, EPA-ECL
Lori Houck Cora, EPA-ORC